

Finance and Administration Cabinet STANDARD PROCEDURE	PAGE: 1 OF 3
ISSUED BY: Office of Administrative Services, Division of Human Resources	
EFFECTIVE DATE: 3/03/05, Revised 9/21/07	
PROCEDURE # 2.4	
SUBJECT: Progressive Discipline	
DISTRIBUTION CODE: A,B,C,D	CONTACT: Director, Division of Human Resources (502) 564-7233

I. PURPOSE

To provide employees with sufficient notice of unsatisfactory behavior or job performance, the Finance and Administration Cabinet (Cabinet) shall abide by the practice of progressive discipline. This procedure describes the processes relating to progressive discipline.

II. BACKGROUND

The provisions of [KRS 18A.095](#) and [101 KAR 1:345](#) provide that a state employee, with status, has a right to continued employment as long as the employee maintains good behavior and is satisfactorily performing his/her job duties.

If an employee's behavior or job performance fails to meet these statutory guidelines, the supervisor shall have the responsibility of advising the employee of the problem(s). The supervisor shall also advise the employee of what is to be expected of that employee in the future to resolve the employment problem(s). The supervisor shall respect the rights of the employee at all times and advise the employee of any problems with either behavior or job performance in a respectful and timely manner.

It is the goal of the Cabinet to provide sufficient notice to its employees of unacceptable behavior or unsatisfactory work performance and to allow the employee an opportunity to correct the problem(s). Reasonable efforts will be made to notify employees of the problem(s) and provide each employee with an opportunity to correct the problem(s) and retain employment status with the Cabinet. It is understood that some disciplinary action(s) may not warrant a progressive discipline approach and may require immediate suspension or immediate dismissal, depending upon the particular situation.

III. SUPERVISOR DUTIES AND RESPONSIBILITIES

A. Notification and Documentation

It shall be the responsibility of the supervisor to advise an employee of his/her lack of good behavior or unsatisfactory work performance at the earliest opportunity possible. At that time, the supervisor shall:

- meet with the employee, explain the problem(s) in detail, and advise the employee of what is expected of him/her in the future;

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- define a period of time within which the problem(s) is (are) to be corrected; and
- advise the employee of the type of disciplinary action that could be taken if the problem(s) is (are) not corrected.

It is the responsibility of the supervisor to document the problem(s) and the facts that first made the supervisor aware of the problem(s). The supervisor shall keep the documentation in his/her desk file for that employee.

If possible, the problem(s) should be referenced in the employee's latest performance evaluation. The evaluation shall:

- address the problem(s) in detail;
- state whether or not the problem(s) has (have) been resolved; and
- identify and set forth any continuing unresolved problem(s).

If the problem(s) continues despite discussion and counseling, the supervisor may choose to recommend disciplinary action be taken.

B. Disciplinary Action

If the supervisor decides to discipline the employee, the supervisor shall:

- advise his/her supervisor, Commissioner/Executive Director, and the Division of Human Resources of the recommended disciplinary action;
- obtain advice and assistance from the Division of Human Resources concerning the recommended disciplinary action, and
- maintain records and documentation to support each and every recommended disciplinary action.

The disciplinary action does not necessarily need to be initiated by the employee's immediate supervisor. If an individual within the chain of command or other management representative of the agency becomes aware of or observes unacceptable behavior or job performance issues, the disciplinary action may be initiated or taken at that level.

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IV. INQUIRIES

Any questions concerning the application of this procedure, employee conduct or behavior, disciplinary action, or personnel laws should be addressed to the Division of Human Resources at (502) 564-7233.

NO STANDARD PROCEDURE MAY BE REVISED BY ADDENDUM, MEMORANDUM OR ANY OTHER MEANS OTHER THAN THOSE SET OUT IN STANDARD PROCEDURE # 1.1 ENTITLED "FINANCE AND ADMINISTRATION CABINET PROCEDURES AND MANUAL."

DISTRIBUTION CODES:

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